

Message Text

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ORIGIN EB-07

INFO OCT-01 ARA-06 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

DOTE-00 INR-07 NSAE-00 FAA-00 L-03 SS-15 NSC-05 SSO-00

NSCE-00 INRE-00 /046 R

DRAFTED BY EB/AN:AJRIMAS:DAP

APPROVED BY EB/AN:WBCOBB

CAB - D. LITTON

ARA/BR - J. SLATTERY

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O R 212111Z JUL 75

FM SECSTATE WASHDC

TO AMEMBASSY BRASILIA IMMEDIATE

INFO AMCONSUL RIO DE JANEIRO

AMCONSUL SAO PAULO

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E.O. 11652:N/A

TAGS: EAIR, BR

SUBJECT: CIVAIR: VARIG SCHEDULE FILING AND REQUEST FOR

BILATERAL US-GOB CIVAIR CONSULTATIONS

REF: BRASILIA 5886

1. CAB ON JULY 21 RELEASED PART 213 ORDER REQUIRING VARIG
TO FILE SCHEDULES. TEXT OF ORDER BEING TRANSMITTED SEPTEL.
EMBASSY IS REQUESTED TO INFORM APPROPRIATE GOB AUTHORITIES
OF ABOVE AND TO REQUEST BILATERAL CIVAIR CONSULTATIONS.
EMBASSY'S REQUEST NOTE SHOULD BE ALONG LINES OF TEXT
PROVIDED PARA 2 BELOW.

2. "...AND HAS THE HONOR TO REFER TO THE AIR TRANSPORT
SERVICES AGREEMENT OF SEPTEMBER 6, 1946, AS AMENDED, BETWEEN
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THE UNITED STATES OF AMERICA AND THE UNITED STATES OF

BRAZIL. THE EMBASSY OF THE UNITED STATES HEREBY INFORMS THE MINISTRY OF EXTERNAL AFFAIRS THAT THE GOVERNMENT OF THE UNITED STATES REQUESTS BILATERAL CONSULTATIONS WITH THE GOVERNMENT OF BRAZIL PURSUANT TO THE TERMS OF THE SAID AGREEMENT WITH SPECIAL REFERENCE TO PARA 2 OF THE PROTOCOL OF SIGNATURE. DURING THE PROPOSED CONSULTATIONS, THE UNITED STATES DELEGATION WOULD WISH TO DISCUSS ACCESS BY

UNITED STATES DESIGNATED AIRLINES TO CONGONHAS AIRPORT AT SAO PAULO, AS WELL AS THE RELATED QUESTION OF CHANGE OF GAUGE. IN ADDITION, THE US PROPOSES THAT THE OPPORTUNITY PRESENTED BY THE CONSULTATIONS BETWEEN AVIATION DELEGATIONS BE USED TO DISCUSS CHARTER AIR SERVICE QUESTIONS.

"COMPLIMENTARY CLOSE."

3. DEPARTMENT HAS CONSIDERED POINTS RAISED PARA 3 REFTEL. WE WOULD NOT WISH TO REFER SPECIFICALLY TO ARTICLE VIII SINCE WE ARE NEITHER SEEKING TO "MODIFY TERMS OF THE ANNEX" NOR TO DISCUSS "EXERCISE OF THE RIGHTS SPECIFIED IN ARTICLE VI." ARTICLE IV OF ANNEX HAS LIMITED APPLICABILITY BECAUSE OF ITS REFERENCE TO CAPACITY AND WAS RULED OUT ACCORDINGLY. WORDING RE ARTICLE 2 OF PROTOCOL IN SUGGESTED TEXT OF NOTE INTENDED TO HIGHLIGHT CONGONHAS AS KEY ISSUE FOR TALKS BUT IS NOT INTENDED TO PRECLUDE FROM DISCUSSION OTHER ITEMS OF CONCERN OF EITHER PARTY.

4. DEPARTMENT NOT YET IN A POSITION TO PROPOSE DATE OR VENUE FOR TALKS, BUT WILL DO SO ASAP. SINCE US REQUESTING TALKS, WE RECOGNIZE WE MAY BE OBLIGED MEET IN BRAZIL IF GOB DESIRES, BUT MEETING IN WASHINGTON WOULD OF COURSE BE ACCEPTABLE. KISSINGER

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Message Attributes

Automatic Decaptoning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CIVIL AVIATION, AIR SCHEDULES, AIR ROUTE APPLICATIONS, DIPLOMATIC DISCUSSIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 21 JUL 1975
Decapton Date: 01 JAN 1960
Decapton Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE171274
Document Source: CORE
Document Unique ID: 00
Drafter: AJRIMAS:DAP
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750251-1036
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750736/aaaabgfp.tel
Line Count: 93
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 75 BRASILIA 5886
Review Action: RELEASED, APPROVED
Review Authority: GolinoFR
Review Comment: n/a
Review Content Flags:
Review Date: 04 SEP 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <04 SEP 2003 by CunninFX>; APPROVED <25 NOV 2003 by GolinoFR>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CIVAIR: VARIG SCHEDULE FILING AND REQUEST FOR BILATERAL US-GOB CIVAIR CONSULTATIONS
TAGS: EAIR, BR, US, VARIG
To: BRASILIA
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006